

**REMARKS**

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

**I. Status of the Claims**

Claims 11 and 12 are rejected.

Claims 1-10 and 13 are objected to.

Claims 1, 11 and 12 have been amended. No new matter is added.

Claim 14 has been added. No new matter is added.

Claims 1-14 are currently pending.

**II. Allowable Subject Matter**

Applicants would like to thank the Examiner for the indication that claims 1-10 and 13 contain allowable subject matter.

**III. Objections to the Claims**

Claims 1-13 are objected to for informalities. Claims 1, 11 and 12 have been amended to address the objections. Specifically, claim 1 has been amended to recite "a contour of the discharge orifice" instead of "the contour of the discharge orifice" as suggested by the Examiner. Claims 1 and 12 have been amended to replace the recitation of "the latter" with "the discharge orifice." Claims 1 and 11 have been amended to replace the recitation of "by means of a transition

portion" to "via a transition portion." Applicants respectfully request that the objection be withdrawn.

#### **IV. Rejections Under 35 U.S.C. § 103**

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over German Patent No. DE 26 42 658 to Hare. The Examiner states that Hare discloses most of the features of claim 11 including a transition portion "seen in Figure 1 as the curved lip portion of the suction pipe located next to intake valve 11" (detailed action, page 3, lines 12-13). The Examiner admits that Hare does not disclose using the whole cross sectional area of the suction orifice. The Examiner contends that Hare discloses "all of the structural limitations set forth in the claim and is therefore capable of performing all the possible uses of such a structure."

Claim 11 has been amended to recite that the transition portion is "incorporated to the valve plate." This is in contrast to Hare, which shows a curved lip portion incorporated only in the suction pipe and not in valve plate. Thus, claim 11 is patentable in view of Hare, as Hare does not disclose or suggest incorporating a transition portion in the valve plate. Applicants respectfully request withdrawal of the rejection.

Claim 12 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hare in view of U.S. Patent No. 5,147,190 to Hovarter. The Examiner states that Hare discloses most of the features of claim 12 but admits that Hare does not disclose that the inlet orifice occupies an angular sector concentric to an internal contour of a compression cylinder and discharge orifice in order to maintain minimum spacing. The Examiner states that this feature is disclosed by Hovarter and that

it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the valve design taught by Hovarter in the pump disclosed by Hare.

Neither Hare nor Hovarter teach or suggest all of the elements of the independent claim. Claim 12 depends from claim 11 and is patentable for at least the same reasons as claim 11. Applicants respectfully request withdrawal of the rejection.

### CONCLUSION

Each and every point raised in the Office Action dated July 27, 2005 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-14 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

By 

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